

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:12cr13**

<b>UNITED STATES OF AMERICA,</b>	)	
	)	
	)	
<b>Vs.</b>	)	<b>ORDER</b>
	)	
<b>TIMOTHY JAMES DONAHUE,</b>	)	
	)	
<b>Defendant.</b>	)	
_____	)	

**THIS MATTER** is before the court on defendant's unopposed Motion Requesting Peremptory Setting. The dates the parties propose, November 27 through November 30 are already taken by other court proceedings. As it stands now, this case and the cases of the codefendants are the oldest cases on this docket, and they will be first in line for trial. As the only four day block available during the November term commences the week of calendar call, counsel should be prepared to pick a jury on November 6, 2012, and go immediately into trial. The week prior to trial, proposed jury instructions and a verdict sheet should be filed in a PDF readable format.<sup>1</sup> Having considered defendant's motion and reviewed the pleadings, the court enters the following Order.

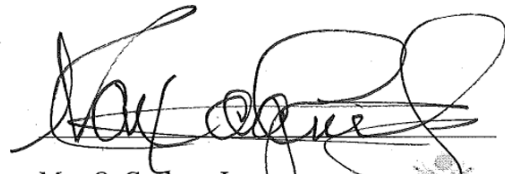
**ORDER**

**IT IS, THEREFORE, ORDERED** that defendant's Motion Requesting Peremptory Setting (#124) is **DENIED**, and the parties are advised that this matter is the first case on for trial commencing November 6, 2012.

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<sup>1</sup> See United States v. Carrothers, 3:10cr260 (W.D.N.C. 2012) (#s 143 &144).

Signed: October 16, 2012



Max O. Cogburn Jr.  
United States District Judge